

Consistency With Zoning Ordinance

MASTER PLAN - A composite of one (1) or more written or graphic proposals for the development of the municipality as set forth in and adopted pursuant to Section 19 of Chapter 91 of the Laws of 1975. ¶

MINOR SUBDIVISION - A subdivision of land that does:

- (1) The creation of more than three (3) lots fronting
- (2) Planned development. ¶
- (3) Any new street. ¶
- (4) Extension of any off-tract improvement. ¶



SECTION 10 – CONSISTENCY WITH THE MUNICIPAL ZONING ORDINANCE

The Township of Cedar Grove adopted its first Zoning code in 1964. This Code has been constantly amended and was completely revised in 2001. The Municipal Land Use Law requires that a governing body adopt a zoning ordinance based upon the land use plan and the housing element of the municipal master plan. The zoning ordinance ...

... shall be drawn with reasonable consideration to the character of each district and its peculiar suitability for particular uses and to encourage the most appropriate use of land. The regulations in the zoning ordinance shall be uniform throughout each district for each class or kind of buildings or other structure or uses of land, including planned unit development, planned unit residential development and residential cluster, but the regulations in one district may differ from those in other districts.⁴

The zoning for a municipality shall be drawn with “reasonable consideration” to the character of each district. This portion of the master plan analyzes the consistency of the existing land uses and the existing lot areas as compared to the existing zoning regulations for each zoning district.

⁴ NJSA 40:55D-62

Schedule of Area Yard and Bulk Requirements at the time of this Master Plan

To review whether a lot meets the minimum standards, it is imperative to know what municipal standards have been imposed. The table below represents the zoning table utilized at the time of this master plan.

Table 10 – 1 : Municipal Zoning Table

Cedar Grove Township Zoning Ordinance Schedule of Requirements [Amended 5-15-2006 by Ord. No. 06-647]

Zone District	Minimum Lot Size			Maximum Lot Coverage (percent)		Maximum Floor/Lot Ratio	Maximum Building Height		Principal Building Minimum Yard Setbacks (feet)				Accessory Building Minimum Setbacks (feet)	
	Area (square feet)	Lot Width (feet)	Frontage (feet)	Principal Building	Total Lot Coverage		Stories Above Grade	Height (feet)	Front Yard	Side Yard	Combined Side Yards	Rear Yard	Side Lot Line	Rear Lot Line
R-5A	5 acres	250	125	4	7	N/A	2½	35	75	50	125	100	25	25
R-40	40,000	175	85	10	18	N/A	2½	35	50	30	75	50	20	20
R-30	30,000	150	75	12	20	N/A	2½	35	45	25	60	45	15	15
R-18	18,000	125	60	16	26	N/A	2½	35	45	17	40	45	10	9
R-15	15,000	100	50	16	26	N/A	2½	35	40	15	35	40	10	8
R-10	10,000	80	50	20	32	N/A	2½	35	35	12	25	35	8	6
R-8	8,000	65	50	20	32	N/A	2½	35	35	8	20	35	6	4
MF	3 acres	200	200	20	40	N/A	2½	35	75	50	100	50	25	25
SL/C	3 acres	200	200	20	40	0.30	2½	35	75	50	100	50	25	25
SL/C-PRC	10 acres	250	250	25	50	N/A	2½	35 ¹	50	50	100	50	25	25
O	1 acre	175	175	20	60	0.30	2½	35	40	35	70	50	15	15
B	N	N	N	20	75	0.40	2½	35	8 ²	5 ³	10	10	6	4
RC	N	N	N	20	60	0.30	2½	35	25	8 ⁴	18	10 ⁴	6	4
M-1	30,000	150	150	40	60	0.60	2½	35	20	10	20	20	10	10
M-2	70,000	200	200	40	60	0.60	2½	35	35	25	50	35	20	20
GF	N	N	N	N	N	N	N	N	N	N	N	N	N	N

Notes:

N = No restriction. N/A = Not applicable.

- Corner lots are required to have minimum lot areas and lot widths equal to 110% of the values set forth in the Schedule of Requirements table and in addition, are required to have a side yard on the street side in conformity with the front yard requirements of the zone in which they are located.
- Minimum front yard setback requirements for all one-family residential zoning districts are subject to special provisions applicable to infill development and redevelopment.
- "Floor/lot ratio" differs from "floor area ratio" (see definitions and sample calculations attached herewith). No floor area ratio (FAR) standards apply in any zoning district. Any floor/lot ratio standard shall be considered as a bulk standard, only.

Footnotes:

- (1) If parking is provided underneath a principal building, its maximum height allowance shall be 44 feet (with height being measured from the average elevation of the *pre-construction* grade) and no limitation shall apply to the number of stories.
- (2) This standard is both a minimum and a maximum allowable setback requirement. (See exception for existing principal buildings, § 268-28D(1)(a)).
- (3) When adjacent to any residential zone, the minimum side yard setback shall be 10 feet except that where any side yard is used to provide access to off-street parking, such side yard shall not be less than 12 feet.
- (4) Twenty-five feet where adjacent to a residential zone.

Lot area consistency with zoning requirements

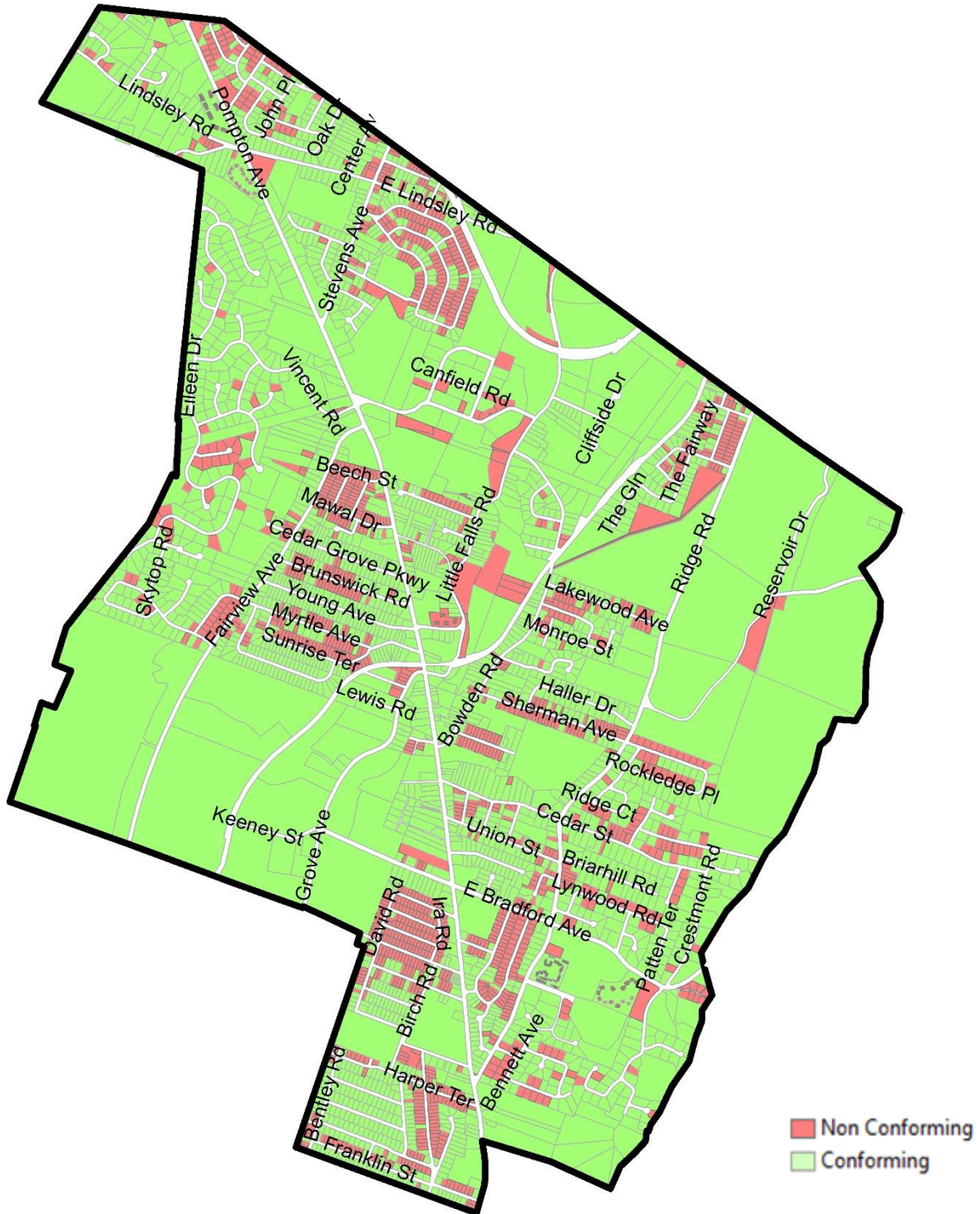
This examination reviews 3,816 lots within Cedar Grove. One thousand four hundred and eight (1,408) of the 3,816 lots (36.87 percent) are nonconforming since they do not meet the minimum lot size requirement. These nonconforming lots are illustrated in red on the map on the following page. An analysis by zoning districts the follows.

Table 10 – 2 : Summary of Nonconforming Lots as to Lot Area

Zone	Number of	Lots		Percent Nonconforming
		Conforming	Nonconforming	
R-5A	40	14	26	65
R-40	41	21	20	49.00
R-30	36	19	17	47.22
R-18	315	271	44	13.97
R-15	477	324	153	32.08
R-10	592	394	198	32.78
R-8	2,104	1,159	945	45.35
MF	13	9	4	35.72
SL/C	9	5	4	44.45
O	4	3	1	25.00
B	78	78	0	0.00
RC	78	78	0	0.00
M-1	48	28	20	41.67
M-2	17	15	2	11.77
GF	4	4	0	0.00
MF-AH	6	6	0	0.00
	3,816	2,408	1,408	36.89

Source: Municipal Tax Records and Municipal Zoning Ordinance

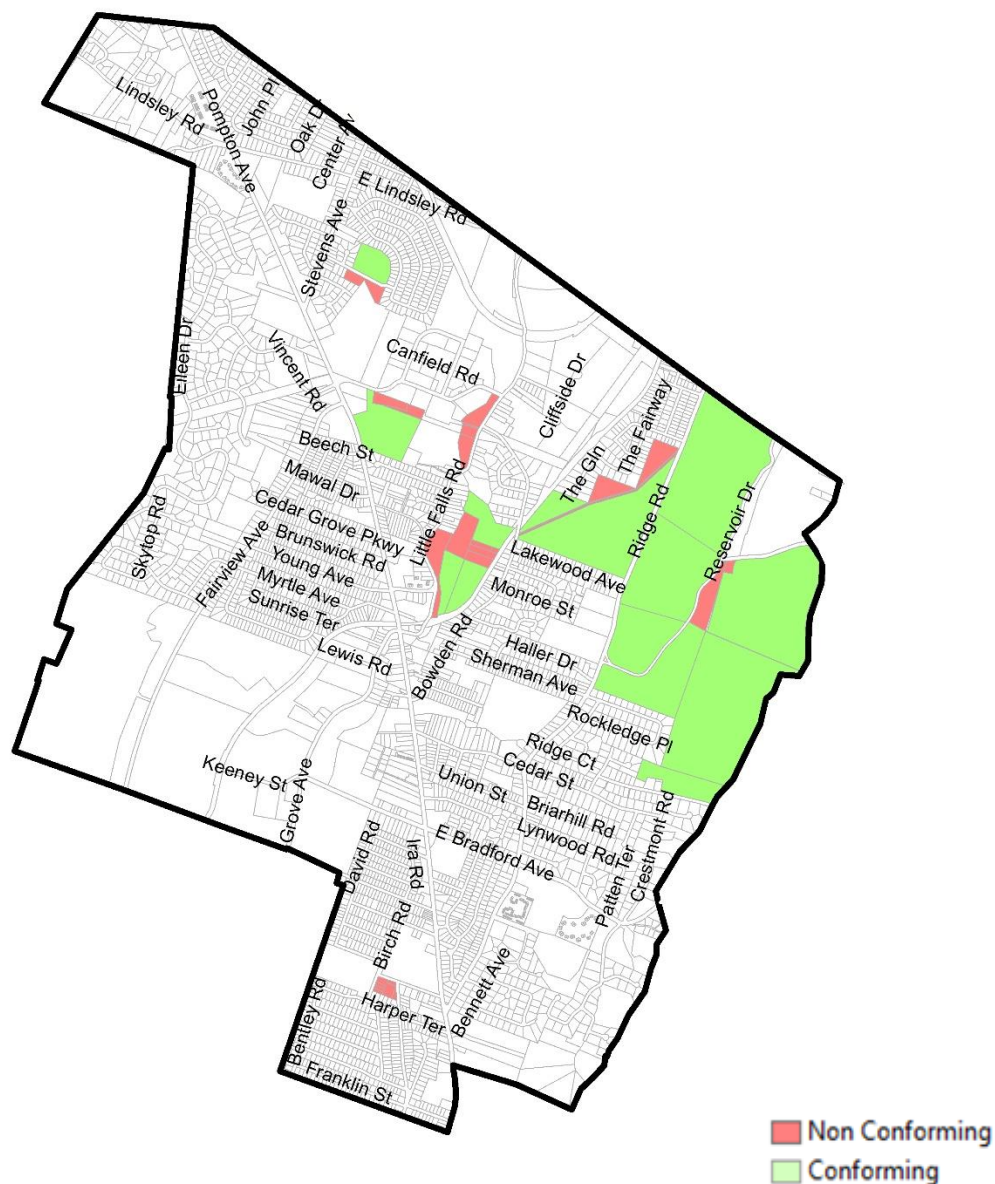
Lot Area consistency with zoning requirements
 Map 10 – 1 : All zoning districts
 Township of Cedar Grove



Land area consistency of lots in the R-5A zone

There are forty lots located within the R-5A zoning district. The permitted principal use in this zone are single-family homes, residential cluster developments, community residents for the developmentally disabled, family day care homes and public recreation and open space on lots with a minimum lot size of 217,800 square feet (5 Acres). Only 14 of the 40 lots contain sufficient area to meet current zoning conditions. This results in a 35 percent conformance rate with of the lot area. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 2 : R-5A zoning district
Township of Cedar Grove

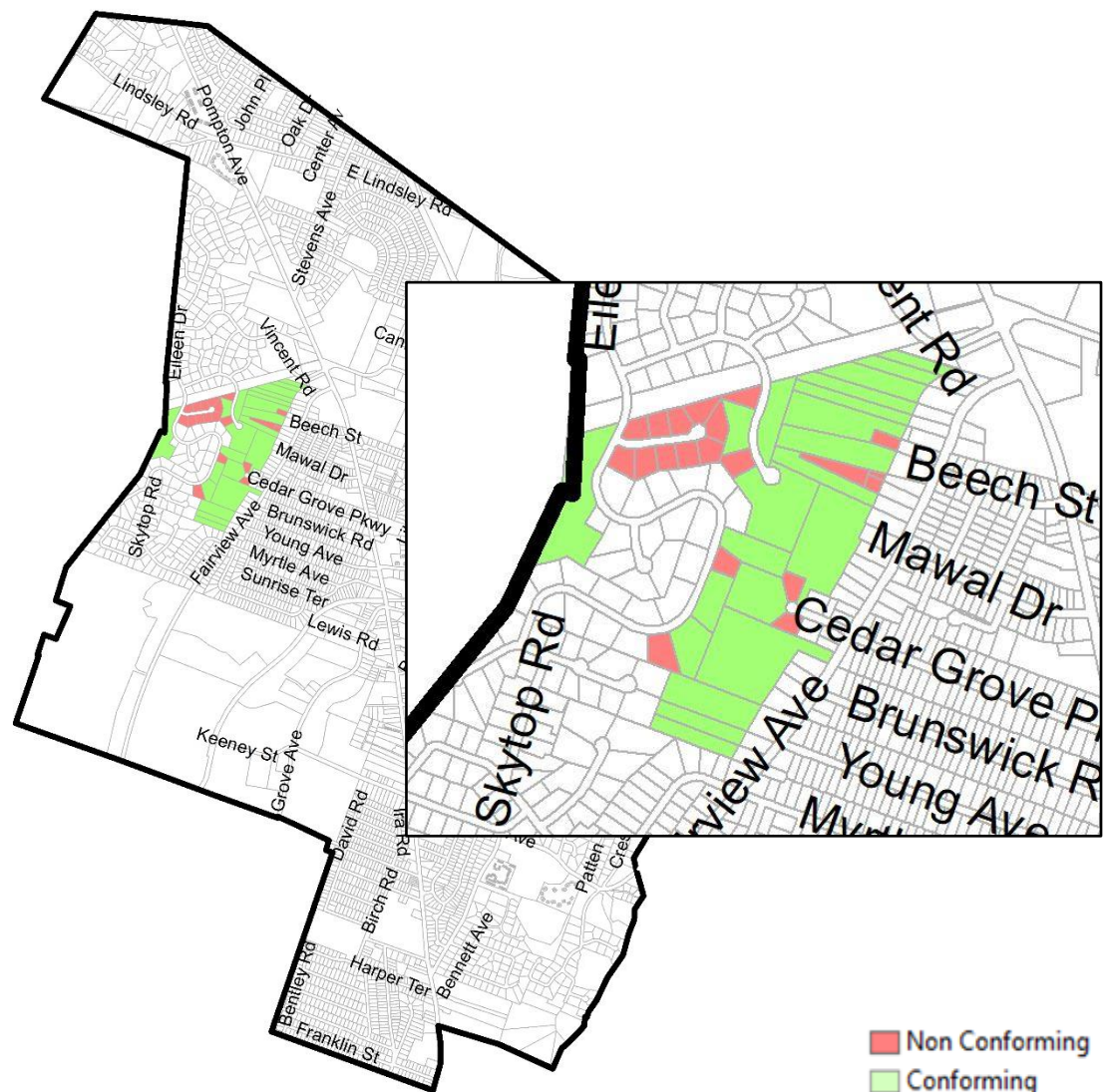


Source: Municipal Tax Records and Municipal Zoning Ordinance

Land area consistency of lots in the R-40 zone

There are 41 lots that are within the R-40 zoning district. The permitted principal use in this zone are single-family homes on lots with a minimum lot size of 40,000 square feet. Also permitted are residential cluster developments, community residents for the developmentally disabled, family day care homes, and public recreation, open space, and park properties. The lots in this zone are found on the west side of the municipality in a single development. Only 21 of the 41 lots contain sufficient area to meet current zoning conditions. This results in a 51 percent conformance rate with of the lot area. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 3 : R-40 zoning district
Township of Cedar Grove

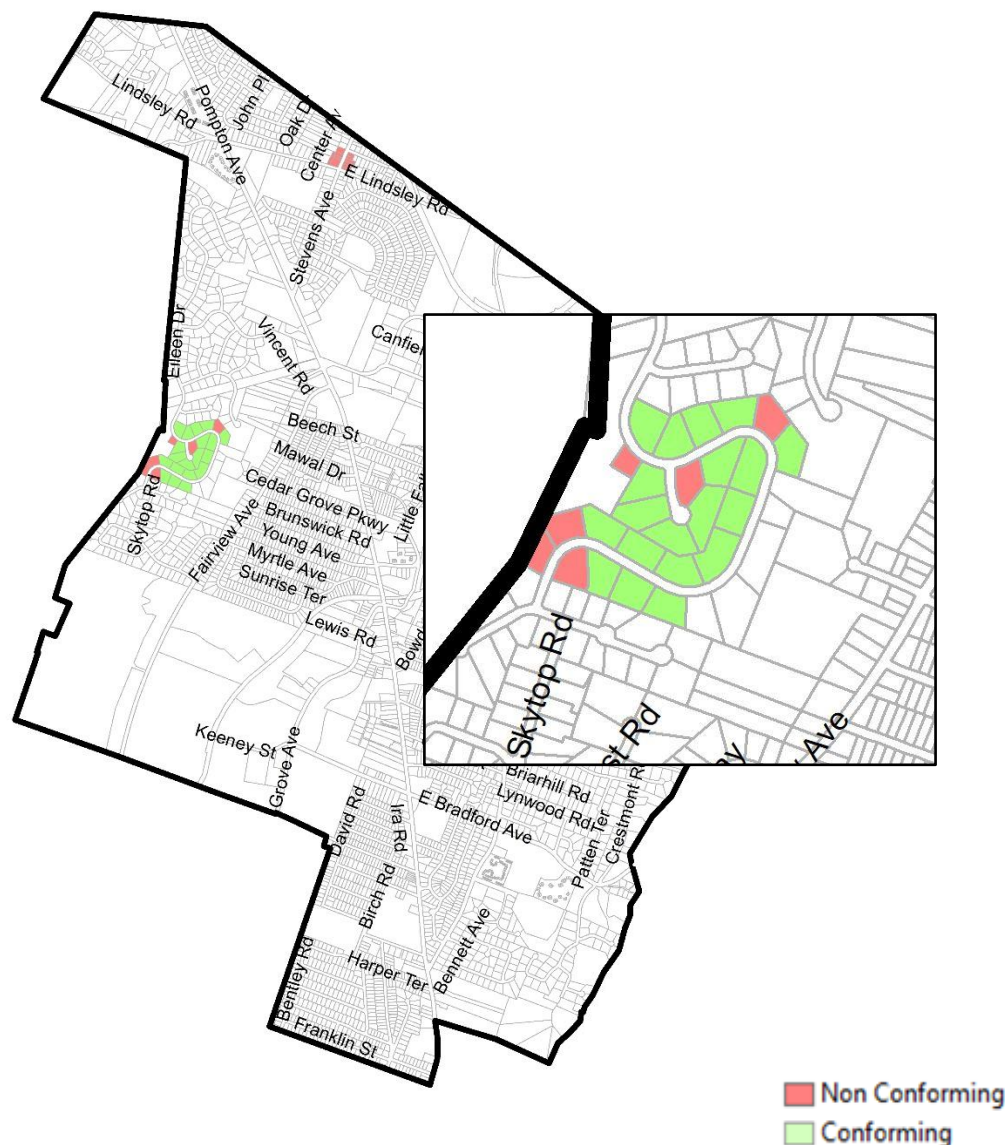


Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the R-30 zone

There are 36 lots that are within the R-30 zoning. The permitted principal use in this zone is single-family homes on lots with a minimum lot size of 30,000 square feet. Also permitted are residential cluster developments, community residents for the developmentally disabled, family day care homes, and public recreation, open space, and park properties. Of the 36 lots, 17 do not contain sufficient area to meet current zoning conditions. This results in a 52.78 percent conformance rate with of the lot area. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 4 : R-30 zoning district
Township of Cedar Grove



Source: Municipal Tax Records and Municipal Zoning Ordinance

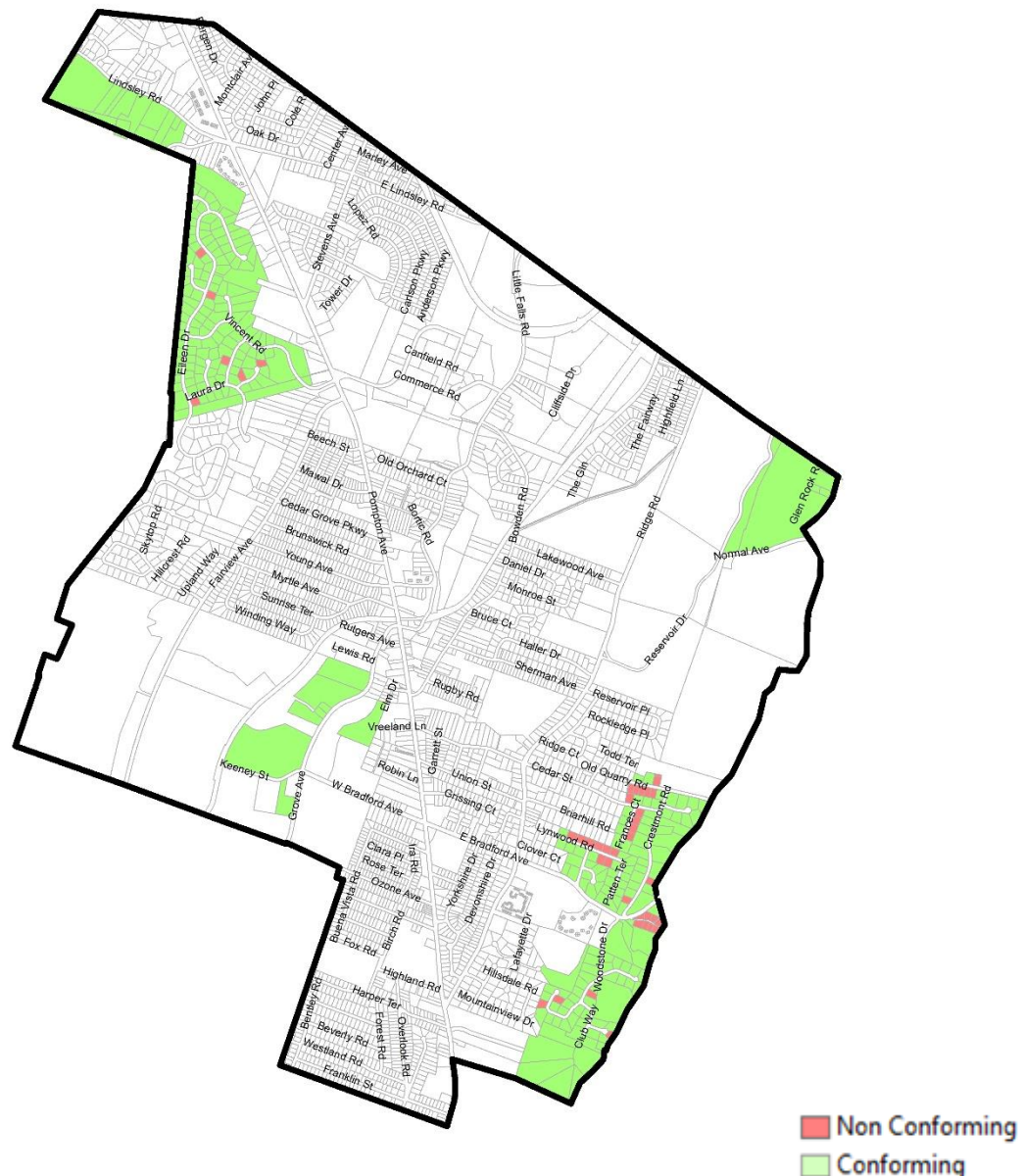
Lot Area consistency of lots in the R-18 zone

There are 315 lots that are within the R-18 zoning. The permitted principal use in this zone is single-family homes on lots with a minimum lot size of 18,000 square feet. Also permitted are residential cluster developments, community residents for the developmentally disabled, family day care homes, and public parks and playgrounds. Of the 315 lots, 44 do not contain sufficient area to meet current zoning conditions. This results in an 86.03 percent conformance rate with of the lot area. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements

Map 10 – 5 : R-18 zoning district

Township of Cedar Grove

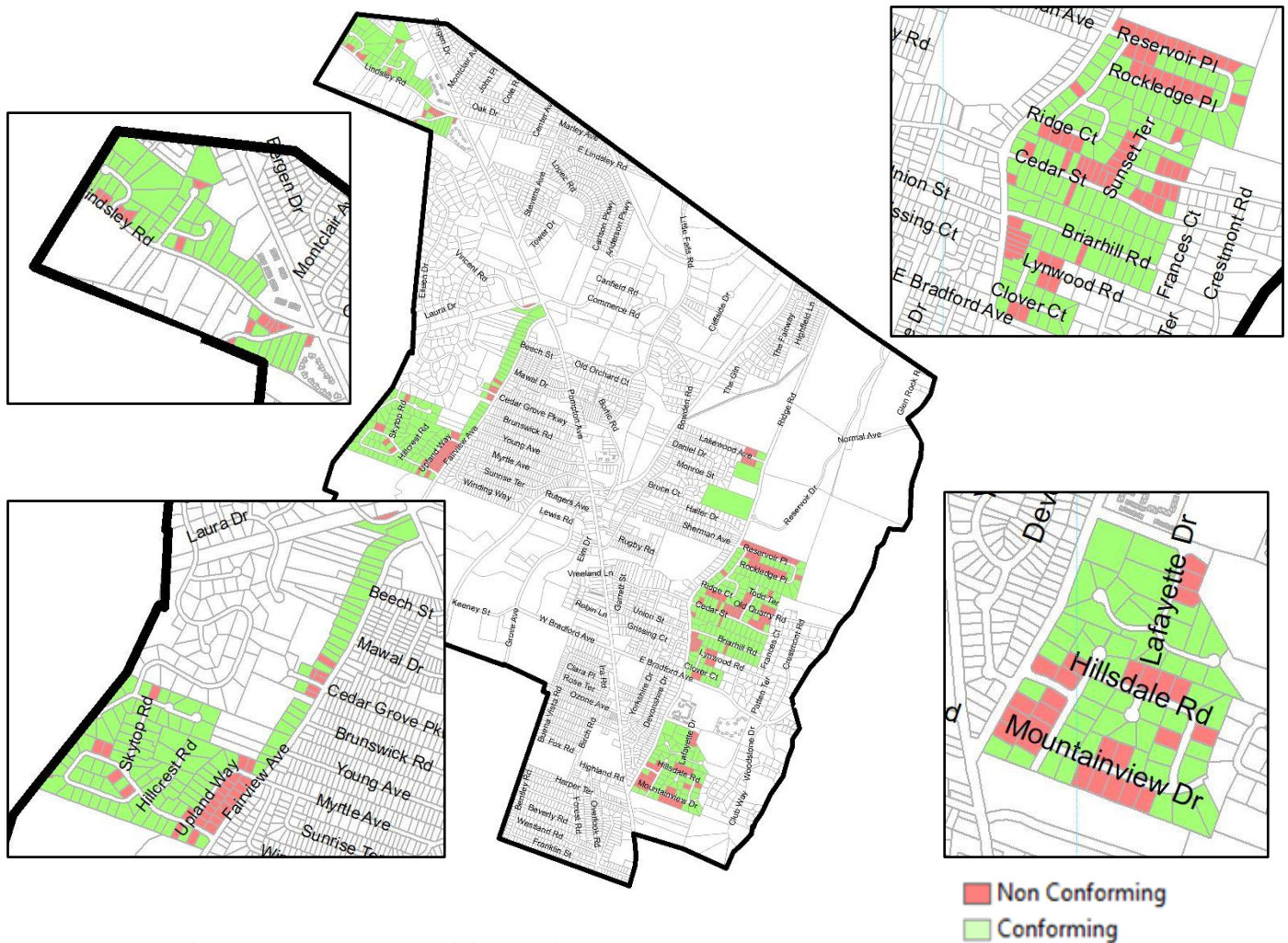


Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the R-15 zone

There are approximately 477 lots that are within the R-15 zoning. This zone is “plagued” with a number of lots being located in two zones, or “split lot” zones. Therefore, this analysis is slightly skewed toward more lots being non-conforming. The permitted principal use in this zone is single-family homes on lots with a minimum lot size of 15,000 square feet. Also permitted are community residents for the developmentally disabled, family day care homes, public parks and playgrounds and governmental buildings and uses, and public libraries. Of the 477 lots, 153 do not contain sufficient area to meet current zoning conditions. This results in an 67.92 percent conformance rate with of the lot area. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 6 : R-15 zoning district
Township of Cedar Grove

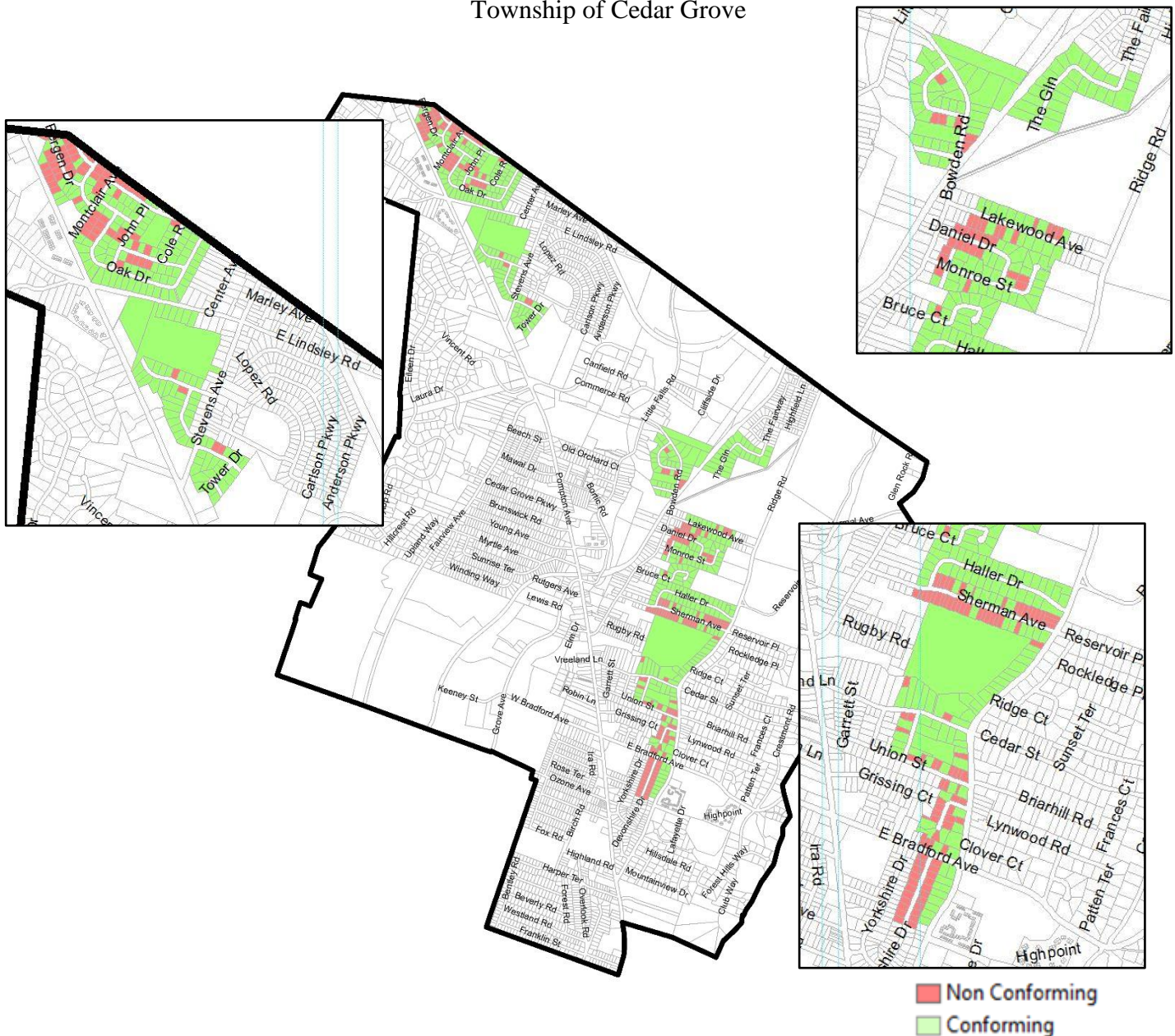


Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the R-10 zone

There are approximately 592 lots that are within the R-10 zoning. The permitted principal use in this zone is single-family homes on lots with a minimum lot size of 10,000 square feet. Also permitted are community residents for the developmentally disabled, family day care homes, public parks and playgrounds and governmental buildings and uses, and public libraries. Of the 592 lots, 198 do not contain sufficient area to meet current zoning conditions. This results in an 67.22 percent conformance rate with of the lot area. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 7 : R-10 zoning district
Township of Cedar Grove

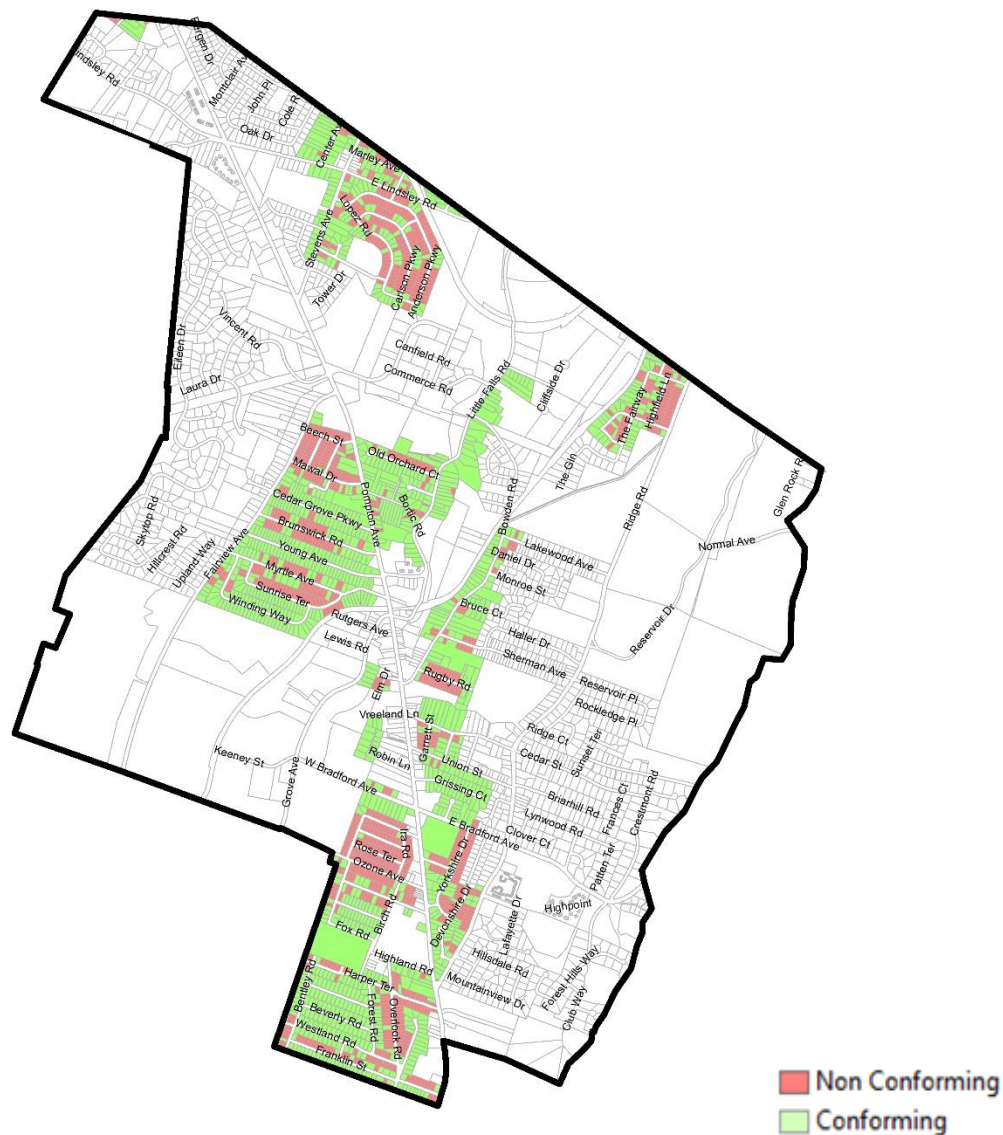


Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the R-8 zone

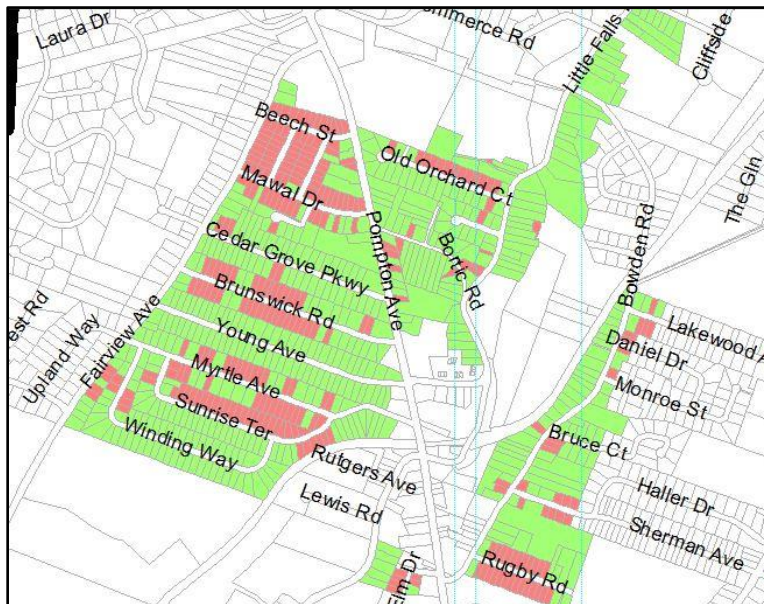
There are approximately 2,104 lots that are within the R-8 zoning. The permitted principal use in this zone is single-family homes on lots with a minimum lot size of 8,000 square feet. Also permitted are two family homes (meeting conditional standards), community residents for the developmentally disabled, family day care homes, public parks and playgrounds and governmental buildings and uses, and public libraries. Of the 2,104 lots, 945 do not contain sufficient area to meet current zoning conditions. This results in an 54.65 percent conformance rate with of the lot area. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 8 : R-8 zoning district
Township of Cedar Grove



Source: Municipal Tax Records and Municipal Zoning Ordinance

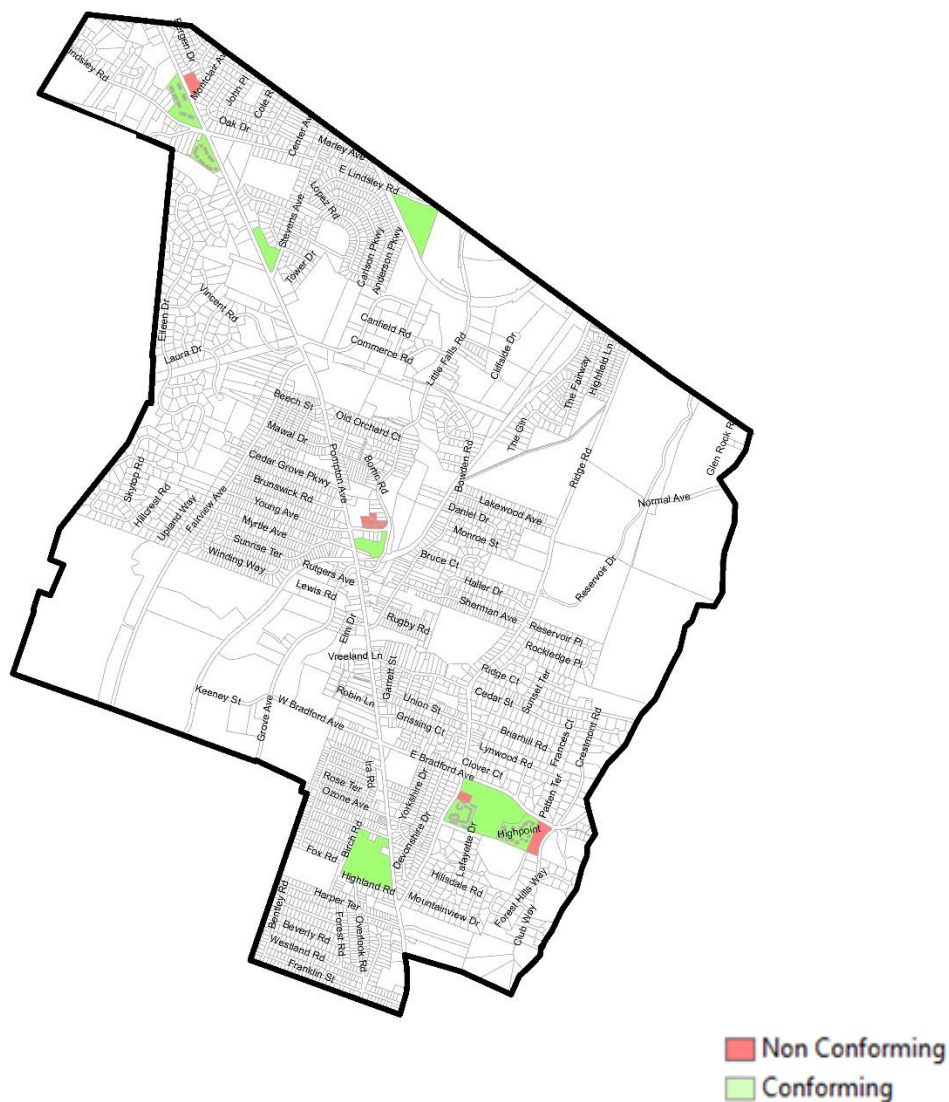
R-8 zoning district



Lot Area consistency of lots in the MF zone

There are 263 lots that are within the MF zoning. The permitted principal uses in this zone are garden apartments, townhomes and quadraplex on lots with a minimum lot size of 130,680 square feet (3 acres). Also permitted are community residents for the developmentally disabled. This zone contains townhomes which by their nature, contain their own block and lot designation. Therefore, the data is heavily skewed toward non-conforming. Of the 263 lots, 254 do not contain sufficient area to meet current zoning conditions. This results in an 3.42 percent conformance rate with of the lot area. Removing the individual lots for townhomes, there are thirteen lots zoned for multi-family use. Of these thirteen lots, four do not meet the lot size requirement. This results in a conformance rate of 64.28 percent. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 9 : MF zoning district
Township of Cedar Grove

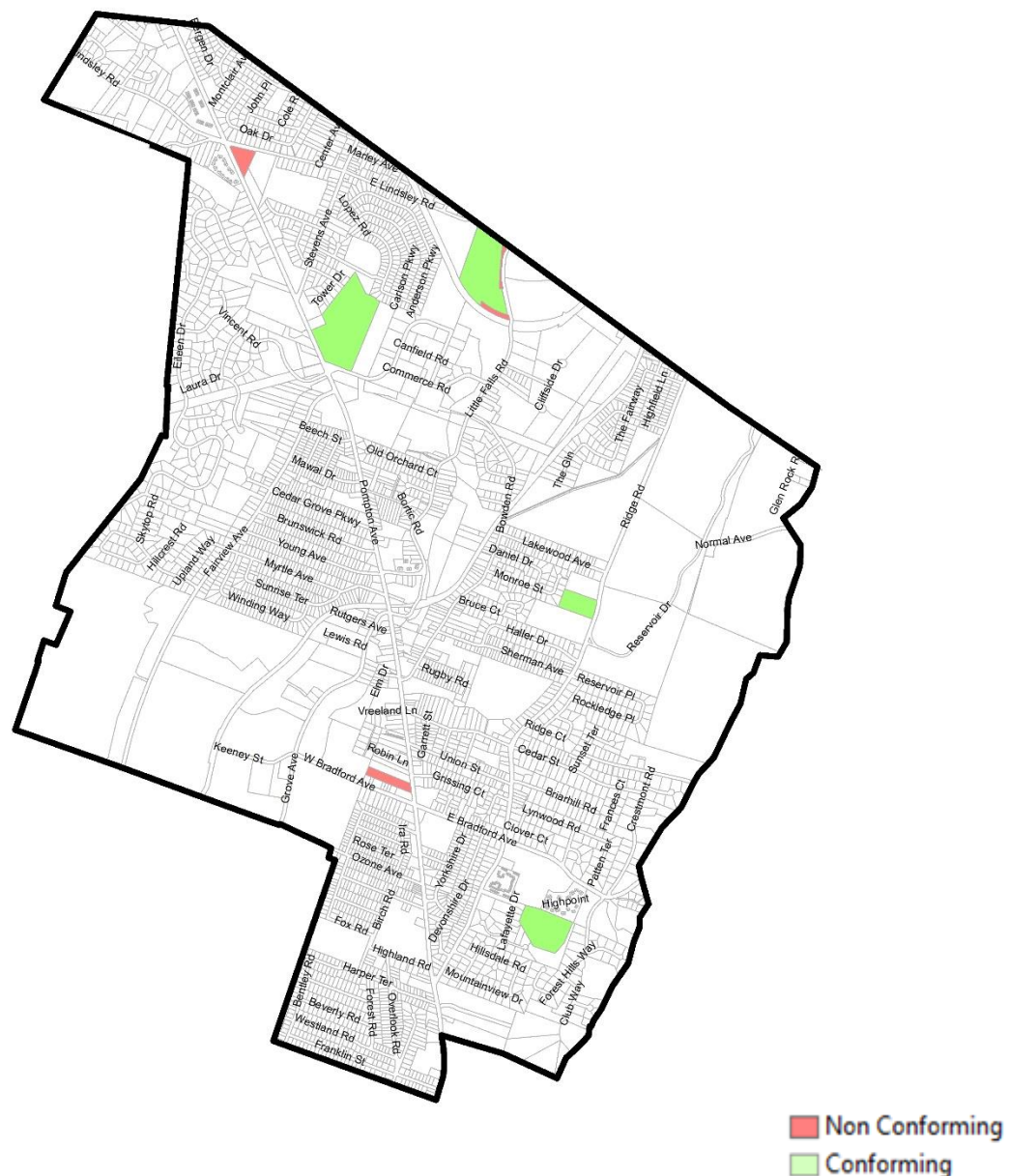


Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the SL/C (Senior Living/Care) zone

There are nine lots that are within the SL/C zoning. The permitted principal uses in this zone are long-term care facilities, planned retirement communities and community residents for the developmentally disabled on lots with a minimum lot size of 130,680 square feet (3 acres). Of the nine lots, four do not contain sufficient area to meet current zoning conditions. This results in an 55.55 percent conformance rate with of the lot area. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 10 : SL/C zoning district
Township of Cedar Grove



Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the O (Office) zone

There are four lots that are within the Office (O) zoning. The permitted principal uses in this zone are business and professional offices, business and professional office parks, and child-care centers on lots with a minimum lot size of 43,560 square feet (1 acre). Of the four lots, one does not contain sufficient area to meet current zoning conditions. This results in an 75 percent conformance rate with of the lot area. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 11 : O zoning district
Township of Cedar Grove

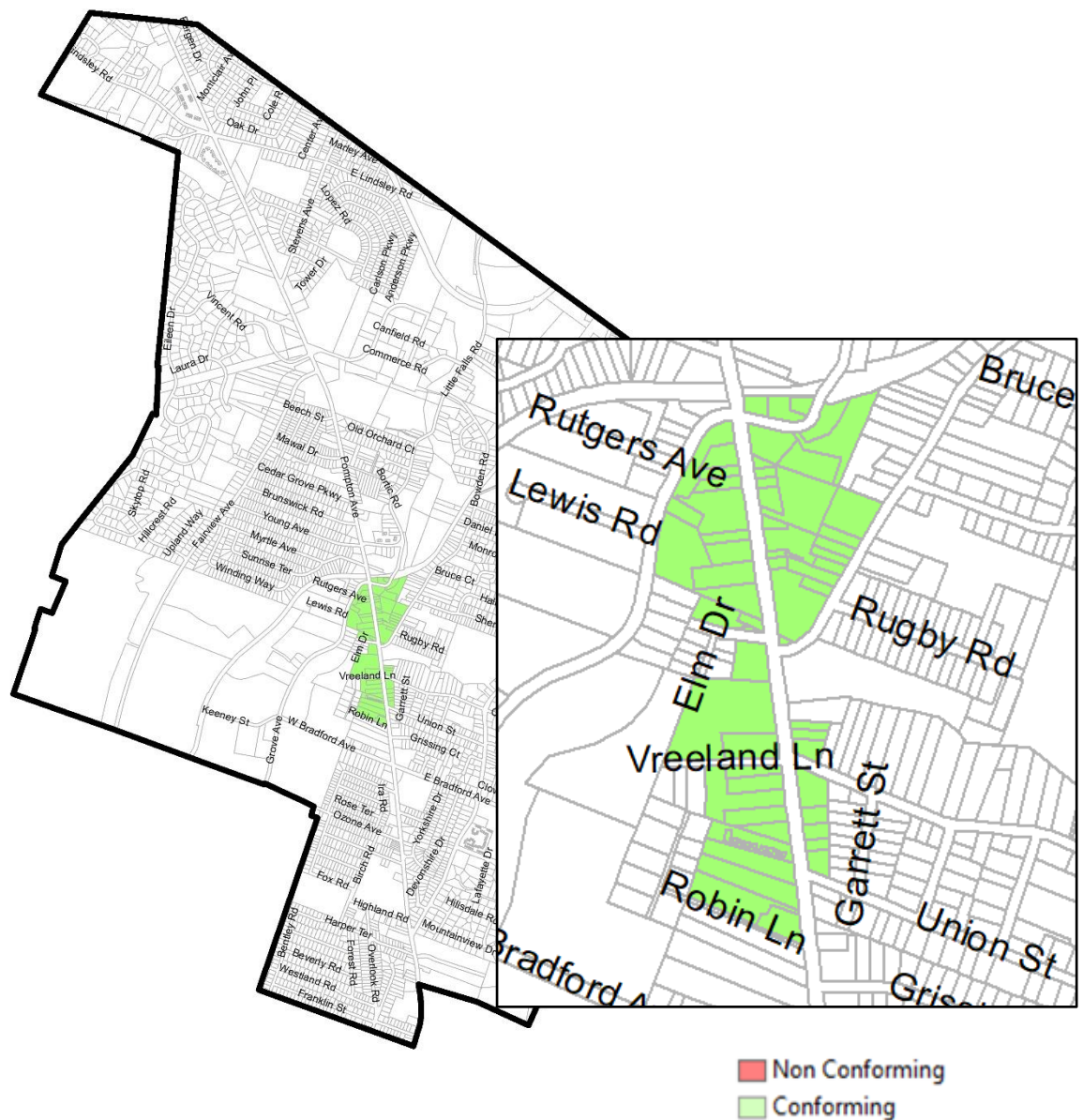


Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the B (Retail Shopping) zone

There are 78 lots that are within the Retail Shopping (B) zoning. The permitted principal uses in this zone are retail sales stores, shops, and markets, retail service, shopping centers, business and professional offices, apartments above the first floor only, where the first floor contains another principal permitted use, museums and libraries, theaters, funeral homes or mortuaries, and child-care centers. The zone does not contain a minimum lot size requirement, therefore all lots conform. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 12 : B zoning district
Township of Cedar Grove

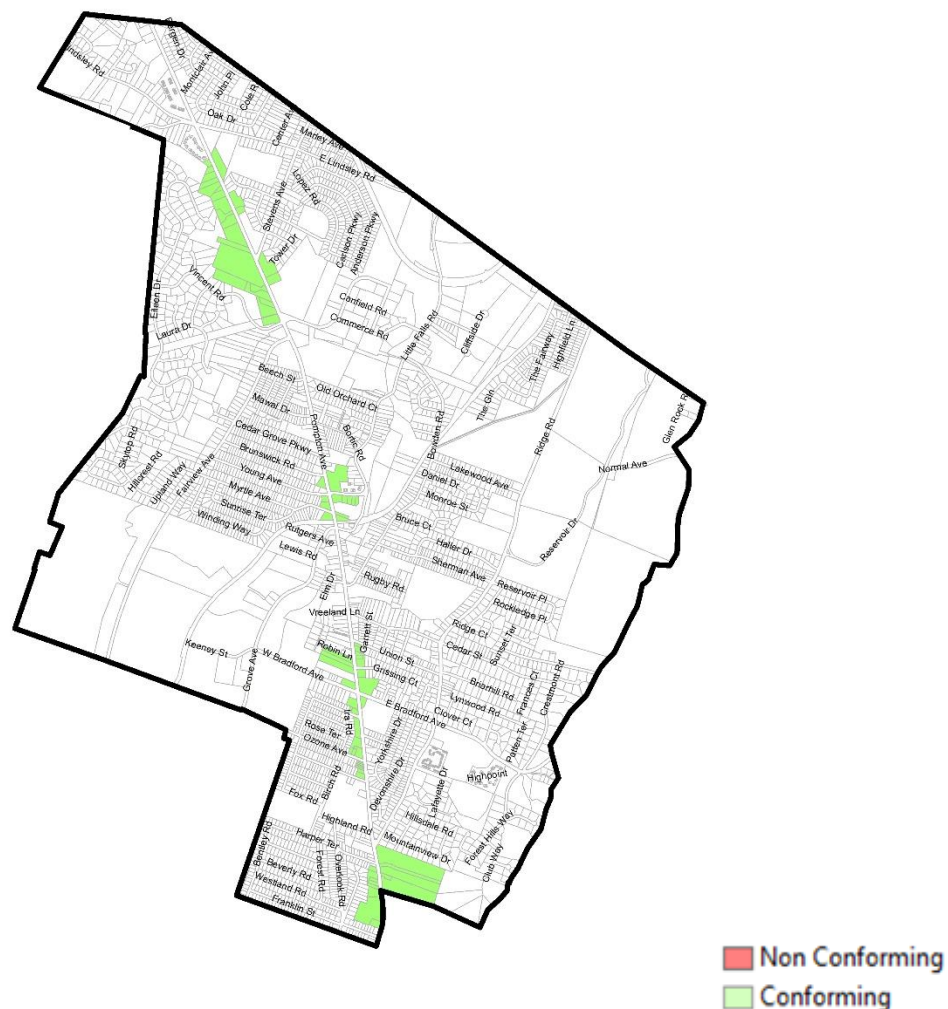


Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the RC (Restricted Commercial) zone

There are 78 lots that are within the Restricted Commercial (RC) zoning. The permitted principal uses in this zone are retail sales stores, shops, and markets, retail service establishments, business and professional offices, business and professional offices above the first floor, where the first floor contains permitted use, shopping centers, funeral homes or mortuaries, medical clinics, nursery and commercial greenhouses, commercial schools, including schools of dance, music, art, and computer programming, but excluding trade schools, bowling alleys, indoor tennis courts, commercial gymnasiums and other indoor sporting or recreational activities, theaters and moving picture theaters, animal hospitals or clinics, and child-care. The zone does not contain a minimum lot size requirement, therefore all lots conform. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 13 : RC zoning district
Township of Cedar Grove



Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the M-1 (Office / Warehouse) zone

There are 48 lots that are within the M-1 (Office/Warehouse) zoning. The permitted principal uses in this zone are business and professional offices, warehouses, lumberyards, building and storage yard uses, the manufacturing, packing, processing, treatment or design of food, personal care, textile, pharmaceutical, apparel, furniture, paper, instruments, transportation equipment parts, and similar products, supplies and services, research laboratories, testing, experimental and computation centers, wholesale trade, printing, publishing, silk screening and similar processes and services, self-storage facilities, child-care centers, fitness centers, gymnasiums, and other exercise and recreational facilities. The minimum lot size of for this zone is 30,000 square feet. Of the 48 lots, twenty lots does not contain sufficient area to meet current zoning conditions. This results in an 58.33 percent conformance rate with of the lot area. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 14 : M-1 zoning district
Township of Cedar Grove

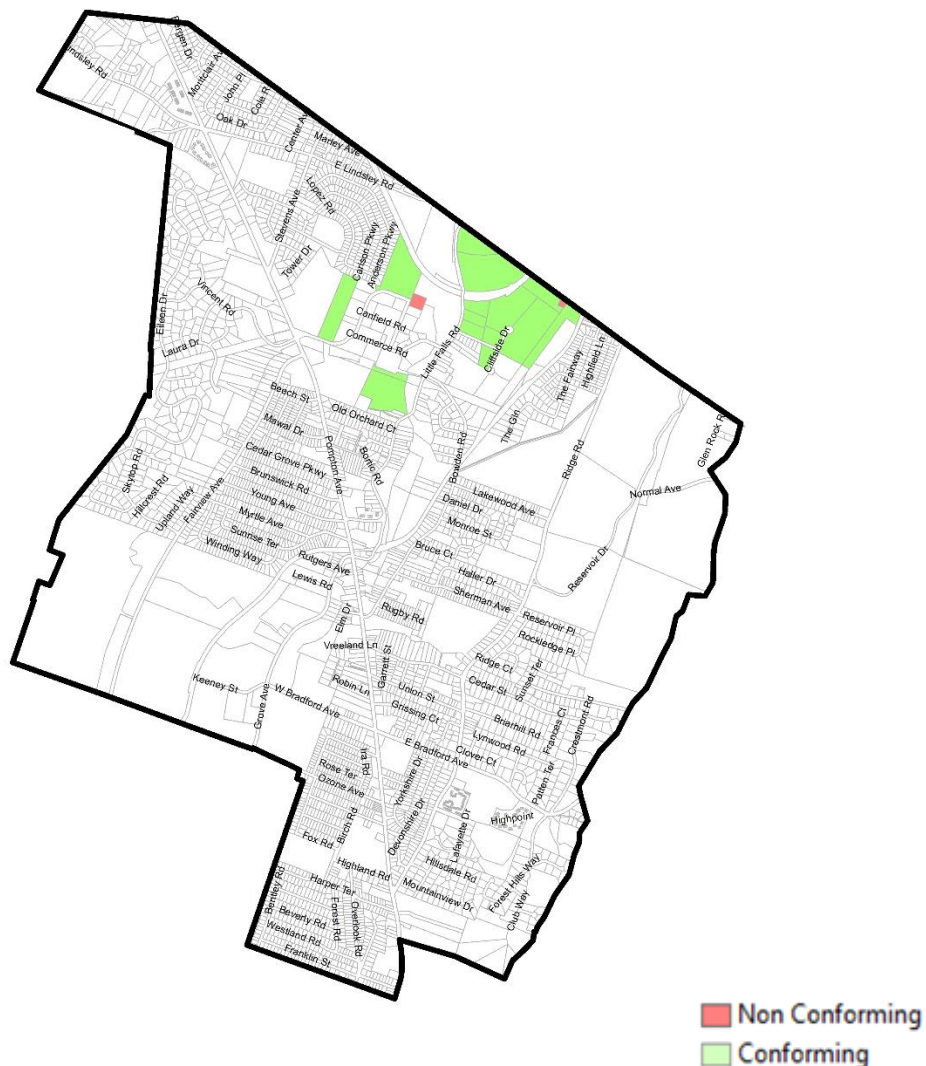


Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the M-2 (Office / Warehouse) zone

There are 17 lots that are within the M-2 (Office/Warehouse) zoning. The permitted principal uses in this zone are business and professional offices, warehouses, lumberyards, building and storage yard uses, the manufacturing, packing, processing, treatment or design of food, personal care, textile, pharmaceutical, apparel, furniture, paper, instruments, transportation equipment parts, and similar products, supplies and services, research laboratories, testing, experimental and computation centers, wholesale trade, printing, publishing, silk screening and similar processes and services, self-storage facilities, child-care centers, fitness centers, gymnasiums, and other exercise and recreational facilities. The minimum lot size of for this zone is 70,000 square feet. Of the 17 lots, two lots does not contain sufficient area to meet current zoning conditions. This results in an 88.23 percent conformance rate with of the lot area. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 15 : M-2 zoning district
Township of Cedar Grove

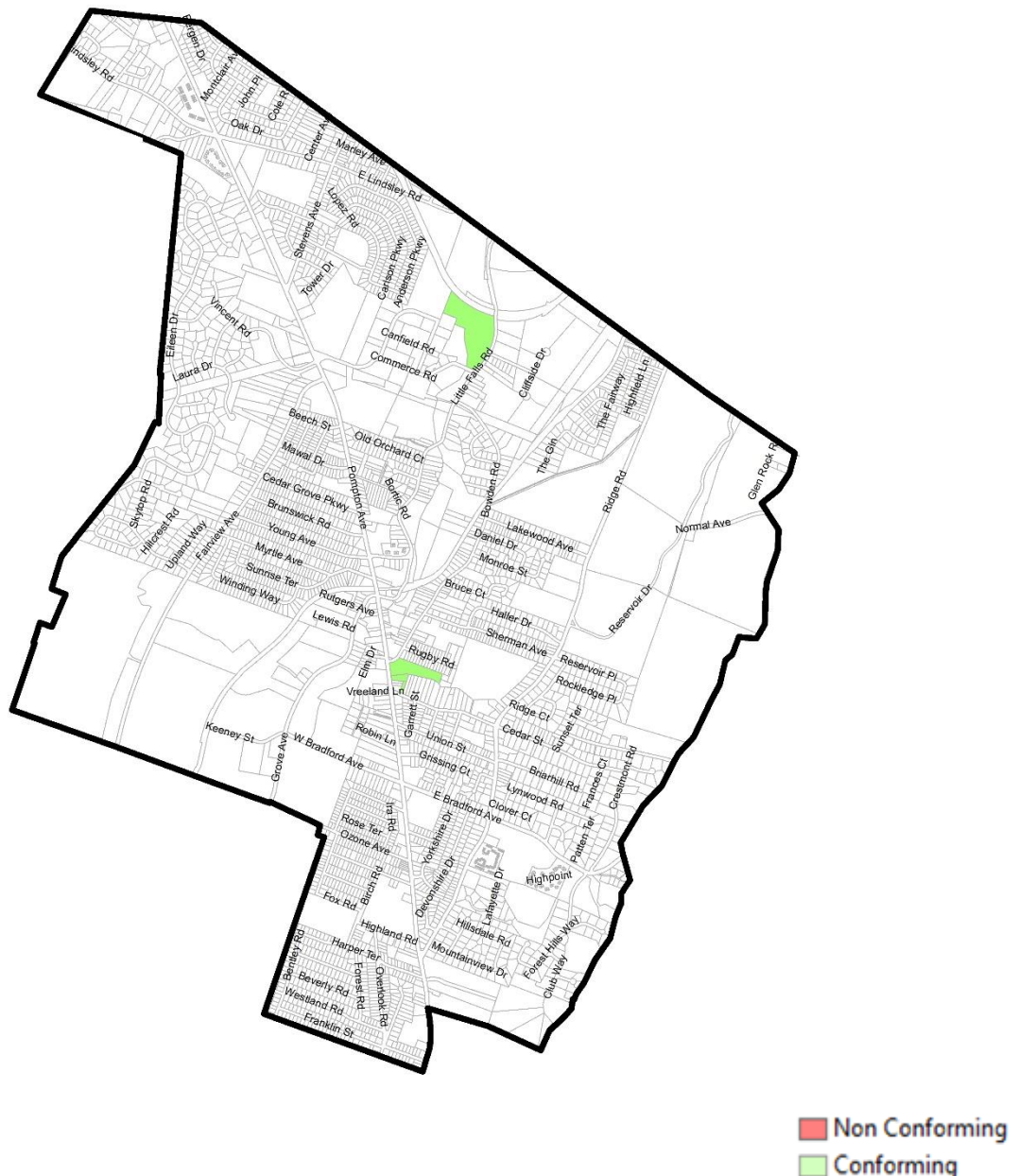


Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the GF (Government Facilities) zone

There are four (4) lots that are within the Government Facilities (GF) zoning. The permitted principal uses in this zone are government offices, libraries and museums, recycling facilities and public works yards, sewage treatment plants, water treatment, storage, and distribution facilities, child-care centers. The zone does not contain a minimum lot size requirement, therefore all lots conform. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 16 : GF zoning district
Township of Cedar Grove

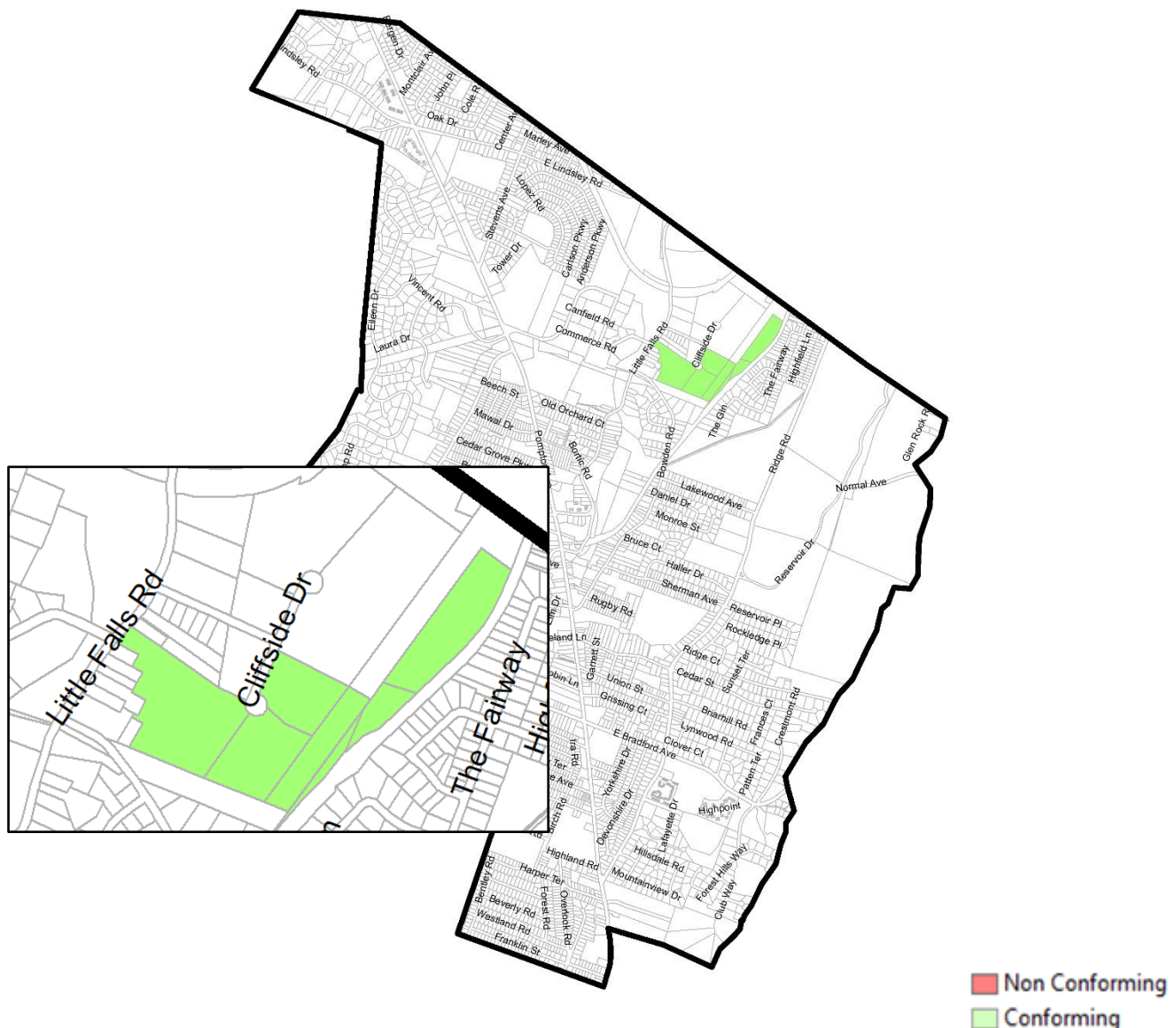


Source: Municipal Tax Records and Municipal Zoning Ordinance

Lot Area consistency of lots in the MF-AH (Multi Family Affordable Housing) zone

There are six (6) lots (or portion of lots) that are within the Multi Family Affordable Housing (MF-AH) zoning district. The permitted principal uses in this zone are multifamily housing (with an affordable housing set-a-side and community residences for the developmentally disabled. The zone does not contain a minimum lot size requirement as per lot but rather by the tract. This ordinance was written for these tracts and therefor all lots conform. Lots that are conforming are shaded green and non-conforming lots are shaded red.

Lot Area consistency with zoning requirements
Map 10 – 17 : MF-AH zoning district
Township of Cedar Grove



Source: Municipal Tax Records and Municipal Zoning Ordinance

Single Family Residential Lot Area Statistics

There are seven single-family residential family zones in the Township of Cedar Grove. The table below indicates the number of lots within each zone, the lot with the minimum lot size, the largest lot within the zone, and the mean lot size for each zone.

Table 10 – 3 : Statistics of Single Family Residential Lots

	<u>R-5A</u>	<u>R-40</u>	<u>R-30</u>	<u>R-18</u>	<u>R-15</u>	<u>R-10</u>	<u>R-8</u>
Lot Count:	40	41	36	316	478	592	2104
Minimum Lot Size:	6,243	16,350	4,721	2,249	1,756	3,187	734
Maximum Lot Size:	2,707,065	243,306	41,481	1,464,547	427,350	924,168	924,168
Mean Lot Size:	413,692	63,312	24,916	47,179	21,843	16,287	10,732